

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

HOME RUN INC.,

Case No. 3:11-cv-356

Plaintiff,

-vs-

Judge Walter H. Rice

CLYDE L. LEWIS, et. al.,

Defendant.

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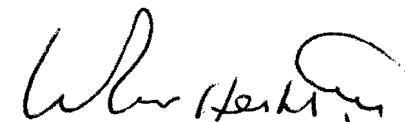
ORDER

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**Service within 120 days of filing:** This action was filed October 13, 2011 as of the date of this Order, Plaintiff has filed neither a waiver of service nor proof of service on Defendants, Clyde L. Lewis, Transportation Specialty's Inc. and Christopher P. Windsor.

Plaintiff is reminded that Fed. R. Civ. P. 4(m) requires the Court to dismiss an action in which service is not made within 120 days of filing the Complaint. Plaintiff's time for filing proof of service or waiver expires February 10, 2012. Unless proof of service is filed by that date, the Court will dismiss the defendants, Clyde L. Lewis, Transportation Specialty's Inc. and Christopher P. Windsor, from this action for lack of service of process.

**DONE** and **ORDERED** in Dayton, Ohio, this 29<sup>th</sup> day of December, 2011.



WALTER H. RICE, JUDGE  
UNITED STATES DISTRICT COURT